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MEMORANDUM

6/16/58

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TO : S - The Secretary
THROUGH: S/S
FROM : EUR - C. Burke Elbrick
SUBJECT: Future Status of Europe

During the past several months, our Geneva proposals on German reunification and European security have been under review in the Four Power Working Group on German Reunification and the NATO Committee on European Security in anticipation of a possible Summit meeting. On May 16 the Four Power Working Group submitted a report to the Four Governments in which it set forth an outline plan designed to constitute a framework for the presentation of the Western proposals on these subjects. The report raised various questions on which it was recommended that governmental positions should be determined. A copy of the Working Group's report is attached at Tab A.

The Working Group and the NATO Committee will meet again in Paris during the week of June 23. The general line to be taken by the U. S. at these meetings on European security arrangements and the link to reunification has been the subject of discussion with the Defense Department. There is now informal agreement between the two Departments except for one point.

The proposed U. S. positions involve some elaboration and clarification of the Geneva proposals on European security. They would also involve modifications of certain aspects of the Eden Plan. However, they do not depart from the essential principles of the Geneva proposals.

1. General Approach

The Working Group has recommended that the Western position be presented in the form of a plan which combines the European security proposals and the essential features of the Eden Plan. While, as contemplated by the Geneva proposals, there would be separate agreements on European security and German reunification, the Plan would make clear the successive stages by which the two agreements would enter into force, and the essential link between the two agreements. The plan is set forth in an annex to the Report of the Working Group (Tab A, Sup. 1). The Plan envisages that the agreements would enter into force independently of the decision made by the all-German Government with respect to its choice of alliances. The assurance to react against aggression contained in Article 8 of the Geneva Draft Outline Treaty of Assurance

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would be offered by the Western Powers as an additional assurance in the event of a reunified Germany becoming a member of NATO, but separately from the plan for German reunification and European security.

It is proposed to accept the general approach recommended by the Working Group.

2. Limitations of Forces and Armaments

The Geneva proposals envisaged a zone of limitations of forces and armaments comprising areas comparable in size and depth and importance on both sides of the line of demarcation between a reunified Germany and the Eastern European countries. The size of this zone and the nature of the limitations was not specified.

It is now proposed that the zone should include all of a reunified Germany, and all of Poland and Czechoslovakia. Ceilings would be placed on the forces in each of these countries, but there would be no restriction on the degree to which the force ceilings would be composed of non-indigenous forces. This would permit the continued stationing of NATO forces in Germany if a reunified Germany continued to be a member of NATO. It would also permit the stationing of Soviet forces in Poland and Czechoslovakia. (While no consideration has been given to the actual level of forces which might be considered, it is contemplated that there would be a rough balance between the forces in Germany, on the one hand, and those in Poland and Czechoslovakia, on the other.)

There would also be quantitative limitations on the armaments available for the permitted forces, operating through a system of control of stocks along the general line of the concepts embodied in the WEU Treaty. No qualitative limitations on armaments would be contemplated and, in particular, there would be no limitation on nuclear weapons apart from any arrangements which might be embodied in more general disarmament agreements.

3. Special Provisions Respecting Dispositions Along the Line of Demarcation

The Geneva proposals provided that

"In parts of the zone [of limitation of forces and armaments] which lie closest to the line of demarcation [between a reunified Germany and the Eastern European countries] there might be special measures relating to the disposition of military forces and installations."

Various arrangements have been suggested for giving more content to this proposal in the discussions in the Four Power Working Group.

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The Western Powers are fairly well committed by the Berlin Declaration of July 29, 1957, and by statements by the German and United Kingdom governments not to advance non-German NATO forces into the Soviet Zone when it is evacuated by Soviet forces. In the discussions in the Four Power Working Group and in NATO, the U. S. proposed limiting forces in the Soviet Zone and in a comparable zone of Poland and Czechoslovakia to indigenous forces for local defense and security purposes. This proposal has not attracted support for a variety of reasons. It is therefore recommended that the rather general language of the Geneva proposals be maintained with a view to keeping open the possibility of negotiating some special arrangements along the Polish-German border. In addition, it is proposed to add to the assurances to be given by the Western Powers in the event of Germany joining NATO, and undertaking that they (the Western Powers other than Germany) would not move their forces into the Soviet Zone.

4. Measures for the Prevention of Surprise Attack

The Geneva proposals included a provision for a special warning system against surprise attack in the form of overlapping radar screens. The State Department believes that the establishment of a European inspection zone, of the character contemplated by our disarmament proposals, would constitute an appropriate and useful element in a European security arrangement. It proposes that the arrangements therefore include a provision for a zone of inspection against surprise attack including the area from 5° East to 35° East and from 42° North to the Arctic Circle. (This area was accepted by NATO as a fall-back position in the context of the disarmament proposals, in conjunction with a North American-USSR or Arctic Zone.) The State Department proposals envisage that the measures of inspection would be the same as those proposed by the Western Powers in the context of disarmament, that is, they would include aerial and ground components with the necessary mobility for ground inspection teams.

The State Department believes that a European zone of inspection broader than the zone of force and arms limitations and including a significant amount of Soviet territory will be necessary to secure agreement on the area of force and arms limitations, particularly as far as the Federal Republic is concerned. It also believes that a Western proposal for a European zone for the prevention of surprise attack would relieve some of the pressure for disengagement. Linking a European zone to a North American-Soviet or an Arctic Zone in the context of European security arrangements would introduce a non-European subject as a condition to a European settlement, which might cast doubt on our sincerity. The State Department does not believe that the USSR would accept a 5°-35° zone, but feels it desirable for tactical reasons to put this proposal forward both in the context of European security and disarmament. It does not believe that a proposal for a smaller zone would be acceptable to our European allies at this time.

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The Defense

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The Defense Department would prefer that this proposal not be put forward. It believes that, since the zone would not include major areas of Soviet territory, it would not be effective as a means of preventing surprise attack against Europe from the air; its effectiveness would be limited essentially to providing protection against massive surprise ground attack only. The Defense Department is also concerned that advancing this proposal might result in the establishment of measures in the limited European area which would constitute a precedent of an inadequate character for arrangements to prevent surprise attack as between the USSR and the U. S. Finally, the Defense Department considers it unlikely that the USSR would agree to the inclusion of Soviet territory in an inspection arrangement unless U. S. territory were also included. (The Soviet proposal for a European inspection zone which was advanced in the context of the disarmament proposals includes very little Soviet territory.)

The Defense Department believes that, if measures of inspection adopted with reference to the zone of limitations of forces and armaments are adequate, they would provide considerable assurance against a surprise attack by ground forces in Europe. It would prefer that there be one zone confined to the area of force and arms limitations. In the event that a zone of force and arms limitations for Europe is proposed along the lines suggested by the State Department, the Defense Department desires that this be coupled with the proposals for a North American-Soviet zone or Arctic zone. Should this proposal not be acceptable, the Defense Department would be prepared to consider a European zone of inspection in the context of a European security arrangement.

State and Defense agree that, if a surprise attack arrangement is adopted in Europe, it should be linked with the zone of force and arms limitations and should be in place and operating before any force and arms limitations and consequent redeployments become effective.

5. Other Aspects of the Geneva Proposals

The other aspects of the Geneva proposals regarding European security, that is, those relating to the renunciation of the use of force, withholding support from aggressors, and individual and collective self-defense (Articles 1, 2 and 7 of the Outline Treaty of Assurance) would remain unchanged.

6. German Adherence to the European Security Arrangements

The Geneva proposals did not provide for German adherence to the European security arrangements, although Germany would be an essential party to the European security treaty. The Working Group proposes that the entry into force of the force and arms limitations should be dependent upon German adherence to the European security

treaty.

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treaty. The Working Group points out that unless an all-German Government adheres to the treaty, it would not be able to request the withdrawal of Soviet forces from Germany and considers this an adequate incentive for German adherence to the treaty. (A discussion of this issue is included in Paragraph 19 of the Working Group Report.) It is proposed to accept the Working Group's recommendation. However, the suggestion will be made that the acceptance of the entire arrangement for reunification through free elections and the European security arrangements might be submitted to the German people in a referendum conducted under international supervision as a condition to entry into force of the two agreements.

7. Plan for German Reunification

Three changes are proposed in the Plan for German Reunification (We hope to get rid of the label "Eden Plan"):

a. Conduct of the Election

Under the Eden Plan, the preparation of an electoral law by the Four Powers and the working out of details regarding the supervision of elections was to constitute the first stage in the implementation of the Plan, following its agreement by the Four Governments. Under the Outline Plan recommended by the Four Power Working Group, the preparation of both the electoral law and the method of supervision would be moved forward into the negotiating stage, and agreement on these points would be required before an agreement on reunification and a European security treaty were signed.

b. Status of Existing Treaties

Under the Eden Plan, the all-German Government would be free to accept or reject all treaties and agreements made by the Federal Republic and the East Zone regime. This would presumably require some affirmative action by the all-German Government. This provision, which was intended to give effect to the concept of freedom of choice with regard to alliances, would risk completely disrupting all existing treaty relations between the Federal Republic and other governments. At the time the Geneva proposals were developed, you expressed concern regarding the effects of this provision. While study was given to the subject at the time, no formula to meet the problem could then be devised. The State Department has now prepared a proposal to deal with this problem which is set forth in the paper attached at Tab B. It is proposed to draw a distinction between treaties of political and military alliance, which would be dealt with in line with the Eden Plan, and other treaties, which would be automatically extended, subject to the right of the parties to decide otherwise and subject to the possibility of necessary adjustments being negotiated.

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c. The Reserved Rights

The Eden Plan provided for retention by the four former occupying powers of those rights deriving from their assumption of supreme authority over Germany which were retained under the Bonn Conventions of 1952, that is, the rights relating to the stationing of forces in Germany and the protection of their security, rights relating to Berlin, and rights relating to the reunification of Germany and the conclusion of a peace treaty. However, actions of the German Government could not be disapproved except by majority vote of the Four Powers.

The Eden Plan involves a rather over-simplified approach to the problems involved. In the light of more detailed study, the State Department has proposed a new draft on this subject which is set forth in Tab C. Under this draft, changes would be made in the language relating to retained powers in order to insure maintenance of our rights with respect to stationing of forces and protection of their security to take into account changes in the Convention on Relations which were introduced during the Paris Agreements of 1954. The revised text is also designed to insure that the arrangements with respect to the status of our forces will be maintained even though relevant treaty provisions should lapse. The duration of the retained powers is related to the fulfillment of the objectives for which they are retained. For example, the power with respect to the reunification of Germany would lapse when Germany is reunified and military government powers in Berlin would terminate upon restoration of normal government in Berlin. Finally, the provision for majority vote is altered to provide for unanimity. Under the Eden Plan, the majority vote would operate solely to the benefit of the Western Powers. This one-sided arrangement appears unreasonable and there seems to be little risk involved in providing for unanimity.

Recommendations:

1. It is recommended that you approve the positions set forth above (other than in paragraph 4) as a basis for discussions in the Four Power Working Group and in NATO.

Approve : _____

Disapprove: _____

2. It is recommended that you approve the proposal of the State Department for a European inspection zone for the prevention of surprise attack as set forth in paragraph 4.

Approve : _____

Disapprove: _____

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Enclosures:

1. Tab A - Four Power Working Group Report.
2. Tab B - The Status of German Treaty Obligations under the Eden Plan.
3. Tab C - The Reserved Rights under the Eden Plan.

Clearances:

RA - Mr. McBride

EUR - Mr. Kohler

EE - Mr. Freers

C - Mr. Yost

S/AE - Mr. Farley

L - Col. Raymond

Defense - Mr. Irwin
(Paragraphs 1, 2, 3, and 5 and
paragraph 4 as statement of
Defense position)

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By	BRG-NARA DAB